

transmitted so that it will be transmitted within the said time period", or in Claim 10, for example, "the processing system being adapted to monitor the data to be transmitted and to determine whether the data will be transmitted within a satisfactory predetermined time period, and if necessary, to change the priority of any data which has not been transmitted so that it will be transmitted within the said time period".

Moreover, applicant submits that the combination of Lappington and Rostoker is improper. The Office Action correctly notes that Lappington fails to teach a method of monitoring the data for satisfactory transmission and changing the priority of data to provide satisfactory transmission. As a matter of fact, Lappington teaches that interactive data will be inserted at particular predetermined times (Col. 8, Lines 30-33). The Office Action correctly notes that Rostoker teaches a method for monitoring and changing priority assignments. Contrary to the present invention, Rostoker changes priorities only at the request of the receiving station (Col. 4, Line 66 to Col. 5, Line 7). This is in contrast to the recitations in Claim 1 of monitoring the data to be transmitted to determine whether the data will be transmitted within a satisfactory predetermined time period. Clearly, the receiving station in Rostoker does not monitor the data to be transmitted, but requests changes in priority assignments in accordance with the different qualities it requires in the received signals. There is no suggestion or teaching in either Lappington or Rostoker that the sending device can change the priority assignments by determining the conditions as defined in Claim 1. Applicant respectfully requests that this rejection be withdrawn.

Claim 3 was rejected under 35 U.S.C. Section 103(a) as unpatentable over Lappington in view of Gasztonyi, et al. (5,686,961). Applicant respectfully traverses. As

noted above, Lappington does not teach all the limitations in Claim 1. The Office Action correctly noted that Lappington fails to teach monitoring the data for satisfactory transmission and changing the priority of the data to provide satisfactory transmission. As noted above, Rostoker does not supply this missing limitation, nor is it appropriate to combine Lappington and Rostoker from the teachings of the references themselves. Although the Gasztonyi reference refers to image compression algorithms, Gasztonyi does nothing to supply the inadequacies of Lappington or Rostoker, or the combination of Lappington and Rostoker, as noted above. Applicant respectfully requests that this rejection be withdrawn.

Claim 5 was rejected under 35 U.S.C. Section 103(a) as unpatentable over Lappington in view of Keshav (5,627,970). Applicant respectfully traverses.

Keshav adds nothing to the inadequacy of the teachings of Lappington with respect to the limitations of the claims, as mentioned above. Applicant respectfully requests that this rejection be withdrawn.

The Office Action objected to the drawings because "Figure 2 fails to show the label central controller 1. Applicant has amended the specification to clearly indicate that central controller 1 is in Figure 1. Therefore, it is believed that the need for changing the drawings by adding the label "central controller 1" to Figure 2 has been obviated.

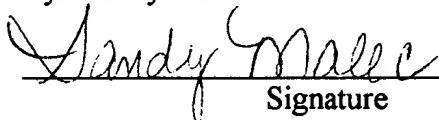
Applicant has considered the references made of record but not applied. None of these references individually, collectively, or in combination with the applied references, teach the present invention.

It is believed that neither Lappington, Rostoker, Gasztonyi, or Keshav, singly, or in any combination, render the invention as set forth in independent Claims 1, 8, and 10 unpatentable because they fail to teach or suggest the combination of elements recited.

In light of the above amendment and remarks, applicant believes that this case is in condition for allowance and respectfully requests that it be passed to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on February 6, 2002.

By: Sandy Malec

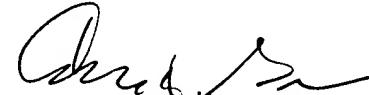


Signature

Date: February 6, 2002

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

The second paragraph on page 6 has been amended as follows:

The manner in which data is handled within the central controller 1 can be seen in more detail in Figure 2. As shown in Figure 2, the central controller 1 of Figure 1 includes an address/data bus 30 to which is connected a microprocessor 31 and a data store 32. Data to be transmitted is obtained by the processor 31 in response to input instructions from the central operator via the input device 2 and from the store 4 and is supplied and stored in the data store 32. A very simple structure for the data store is shown in Figure 2 with each line corresponding to an individual address, the addresses being labelled on the left hand side 1, 2, 3, etc. The store 32 has a data section 33 and a priority section 34 in which is stored a priority value for the data at the corresponding address. Thus, in this example, the data at address 1 has priority 5, the data at address 2 has priority 2, and so on.

IN THE CLAIMS

The claims have been amended as follows:

- 1 1. (Amended) A method of transmitting data relating to a number of different
- 2 categories, from a central location to at least one remote receiver, the method comprising:
- 3 allocating a priority to the data to be transmitted in accordance with its category, the
- 4 priorities defining a relationship between the different categories of the data, transmitting
- 5 the data in a manner determined by the allocated priorities; monitoring the data to be
- 6 transmitted to determine whether the data will be transmitted [in] within a satisfactory

7 predetermined time period [manner]; and, if necessary, changing the priority of any data
8 which has not yet been transmitted so that it will be transmitted [satisfactorily] within the
9 said time period.

1 8. (Amended) A method of providing services in conjunction with a TV
2 broadcast system, the method comprising: transmitting data relating to a number of
3 different categories of service in conjunction with a TV broadcast signal to a number of
4 remote receivers using a method which comprises allocating a priority to the data to be
5 transmitted in accordance with its category, the priorities defining a relationship between
6 the different categories of the data; transmitting the data in a manner determined by the
7 allocated priorities; monitoring the data to be transmitted to determine whether the data
8 will be transmitted [in] within a satisfactory predetermined time period [manner]; and, if
9 necessary, changing the priority to any data which has not yet been transmitted so that it
10 will be transmitted [satisfactorily] within the said time period.

1 10. (Amended) Apparatus for transmitting data relating to a number of different
2 categories, from a central location to at least one remote receiver, the apparatus
3 comprising: a processing system for allocating a priority to the data to be transmitted in
4 accordance with its category, the priorities defining a relationship between the different
5 categories of the data; and means for transmitting the data in a manner determined by the
6 allocated priorities, the processing system being adapted to monitor the data to be
7 transmitted and to determine whether the data will be transmitted [in] within a
8 satisfactory predetermined time period [manner], and if necessary, to change the priority
9 of any data which has not been transmitted so that it will be transmitted [satisfactorily]
10 within the said time period.